

Notice of Allowability

Application No.

10/765,699

Examiner

Thao P. Le

Applicant(s)

KATZ, ZACHARY B.

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/26/04.
2. ☒ The allowed claim(s) is/are 1-39.
3. ☒ The drawings filed on 26 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2 pages
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Thao P. Le
01/29/06

DETAILED ACTION

Claims 1-39 are pending.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 01/26/04 was filed on the same mailing date of the application. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Reason for allowance

Claims 1-39 are allowed. The following is an examiner's statement of reason for allowance:

Set of claims 1-14: None of the references of record teaches or suggests the claimed limitations having a method of forming a planarized surface over a semiconductor substrate comprising a non-planar surface topography substrate, forming a spin-on-dielectric layer over the substrate, forming a second dielectric over the spin-on-dielectric layer, and polishing the second dielectric layer and the spin-on-dielectric layer to form an electrically insulative surface comprising both the spin-on-dielectric material and the second dielectric material.

Set of claims 15-27: None of the references of record teaches or suggests the claimed limitations having a method of forming a planarized surface over a semiconductor substrate comprising a memory array region which has a different average elevational height than the a peripheral region, forming a polysilazane layer

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over both regions, forming a second material over the polysilazane layer, planarizing the second material and the polysilazane layer to form a planarized surface comprising primarily the polysilazane over one of the memory array and peripheral regions and comprising primarily the second material over the other of the memory array and peripheral regions.

Set of claims 28-39: None of the references of record teaches or suggests the claimed limitations having a method of forming a planarized surface over a semiconductor substrate comprising a memory array region which has a different average elevational height than the a peripheral region, forming a spin-on-dielectric layer over both regions, forming a second material over the spin-on-dielectric layer, planarizing the second material and the spin-on-dielectric layer to form a planarized surface comprising primarily the spin-on-dielectric over one of the memory array and peripheral regions and comprising primarily the second material over the other of the memory array and peripheral regions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao P. Le whose telephone number is 571-272-1785. The examiner can normally be reached on M-T (7-6).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thao P. Le
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January 19, 2006.